Remarks/Arguments

Claims 13 to 20 stand finally rejected, 35 USC 102(e), as anticipated by Chu et al patent 6,263,367 (hereinafter "Chu"). In response thereto applicants propose to amend claims 17, 18, and 20 more clearly to include language so that these claims can not, in any way, be deemed to read upon the disclosure and system of Chu, as would be required for a Sect. 102 rejection, and to cancel claims 14-16 and 19 to reduce the issues that need be considered in view of the application being under final rejection.

The Examiner is just wrong in stating that Chu teaches "a method for implementing adaptive notification to a client in client- server system". While such language appears in the introductory portion of claim 17, applicants have amended the claim clearly to recite that the refresh interval of applicants' invention is "the time interval between notifications of new information being sent from the server to the client." As applicants had succinctly but irrefutably set forth in their prior Amendment, the Chu "client refresh period" relates to refreshing the lease time of a piece of information in a directory at a server and bears no resemblance to or suggestion of applicants' refresh interval which determines the interval of time between the sending of information of interest to a client from a server. Applicants request that the Examiner review applicants' prior Amendment and reconsider the underlying assumption on which the final rejection is based, namely, that the Chu client refresh period and applicants' refresh interval are the same.

To clarify that applicants' refresh interval is completely distinct from the Chu refresh leasing period, applicants propose amending their claims 17, 18, and 20 to recite a "refresh polling interval". That their research interval is a research polling interval is clearly set forth in applicants' specification which states, at page 3, lines 20 to 22 and again at page 8, lines 3-4 that the client polls the server at a time interval based on the stored refresh interval sent to the client from the server. This clearly distinguishes applicants' invention from the Chu client refresh lease period. Note that Chu refers to his refresh time as "a dynamic directory client refresh period (CRP)" which equates to his refresh lease period.

The Examiner has referred to Chu at column 10, line 24-64, as disclosing among other things, the client polling the server for new information at time intervals based on the refresh interval stored at the client. What is described there is not the sending of new information of interest to the client but rather the setting of the client refresh period for the lease or the changing of that lease period, in accordance with the thrust and teaching Chu's invention.

Applicants have also amended independent claim 18 to emphasize this distinction, dependent claim 18, as amended reciting that the notification sent to the client also includes an updated refresh polling interval, thereby clearly pointing out that the new information being sent, as recited in parent claim 17, is distinct from the refresh polling interval.

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Claim 20 is directed to an aspect of applicants' invention wherein the refresh polling interval of time between notifications of new information is calculated at least in part based on the processing power of the client, and the claim has been amended to be dependent on claim 17 rather than on now canceled claim 15. In rejecting claim 20 the Examiner has referred to column 6, lines 54-67. However, this clearly shows that Chu and applicants are dealing with two completely different problems for two completely different purposes and, in fact, are looking in opposite directions. Thus, while applicants recite that it is the processing power of the client that is considered, as stated in claim 20, Chu considers if the "server 55 has more processing power", as stated at column 7, lines 35-36.

Applicants respectfully submit that this Amendment raises no new issues and, accordingly, withdrawal of the Final Rejection and entry and consideration of this Amendment by the Examiner are respectfully requested. It is believed that, for the reasons set forth above, claims 17, 18, and 20, as amended, are clearly distinct from and patentable over Chu, and their allowance and passage of this application to issue are also respectfully requested. However, if the Examiner persists in holding that claims 17, 18, and 20, as amended, are anticipated by Chu, entry of this Amendment for purposes of Appeal is then requested.

Respectfully submitted,

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